

FILED

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

2009 JUL 30 PM 1:50
U.S. BANKRUPTCY COURT
AUGUSTA, GA
SAMUEL L. KAY, CLERK

IN RE

DALE AND DEBORAH CROCKER,

Chapter 13

Debtors,

Case No.: 04-14200

DALE AND DEBORAH CROCKER,

Plaintiff,

Adversary No. 08-1053-SDB ✓

v.

NCO FINANCIAL SYSTEMS, INC. et. al.

Defendants.

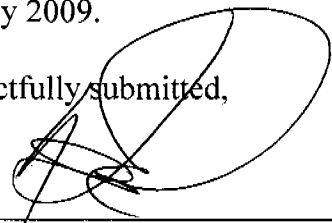
NCO'S NOTICE OF FILING

Defendant, NCO Financial Systems, Inc. ("NCO" or "defendant"), by and through its undersigned counsel, files this Notice of Filing and states:

Previously, NCO filed a Motion for Summary Judgment as to Counts 1-3 along with Exhibits. Exhibit 5 to the Motion was an Affidavit. Exhibits to the Affidavit were (A) Educap correspondence and (B) NCO account Notes. NCO incorrectly referred to the NCO account notes as Exhibit 6 instead of Exhibit B. In addition, the account notes were inadvertently removed from the filing. The Affidavit has been corrected to correct the scrivener's error and to contain the NCO account notes, which are attached hereto.

DATED this 29th day of July 2009.

Respectfully submitted,



Kenneth C. Grace, Esq. (*Pro Hac Vice*)
FL Bar No.: 0658464

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Facsimile No.: (404) 364-3138

Counsel for Defendant, NCO

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of July 2009 a copy of the foregoing document was sent via facsimile and U.S. Mail First Class to: Zane P. Leiden, Esq., Leiden and Leiden, 330 Telfair Street, Augusta, GA 30901 & Chris Cosper, Esq., Hull, Towill, Norman, Barrell & Salley, P.O. Box 1564, Augusta, GA 30903-1564.



Attorney

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

IN RE

DALE AND DEBORAH CROCKER,

Chapter 13

Debtors,

Case No.: 04-14200

DALE AND DEBORAH CROCKER,

Plaintiff,

Adversary No. 08-1053-SDB

v.

NCO FINANCIAL SYSTEMS, INC. et. al.

Defendants.

NCO AFFIDAVIT

IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT AS TO COUNTS 1-3

**STATE OF NEW YORK
COUNTY OF ERIE**

BEFORE ME, the undersigned authority, personally came and appeared Mike Noah who, after being duly sworn, did depose and state:

1. I am Senior Vice-President for NCO Financial Systems, Inc. ("NCO"). In that capacity, I am familiar with and have personal knowledge of NCO's business operations, and collection account records used and maintained in the ordinary course of business. I have reviewed all business records, pleadings, correspondence, and discovery in this matter. Additionally, I investigated plaintiffs' claims and have personal knowledge regarding what NCO did and did not do in its attempts to collect on the Crocker's debts.
2. On August 23, 1995, plaintiffs co-signed for a student loan for their daughter. On July 22, 1996, plaintiffs co-signed for a second student loan for their daughter. By cosigning, plaintiffs agreed to pay all principal, interests, costs, and fees stemming from the collection of the student loans.
3. Plaintiffs filed for bankruptcy on November 18, 2004. Plaintiffs listed Plato, care of Loan Servicing Center, on the bankruptcy schedules and mailing matrix regarding the subject debt. Educap, Wells Fargo, and NCO were not listed on any schedule or mailing matrix. On December 9, 2004, Educap, through its account servicer, Wells Fargo, filed 2

proofs of claim totaling \$4,644.25. Plaintiffs' modified bankruptcy plan was confirmed on April 25, 2005. After the filing of the bankruptcy petition and the proofs of claim additional interest accrued and collection costs and fees matured or continued to mature. *See Exh. A, Educap Correspondence.*

4. Plaintiffs paid a total of \$4,737.43 to the trustee/bankruptcy court to be applied to the debt owed to Educap. Plaintiffs paid \$93.18 more than what was contemplated in the proofs of claim. It is unknown why these monies were paid or how Educap applied these monies. With regard to money application, it appears that Educap applied a portion first to collection fees, next to interest, third to collection costs, and last to principal. Plaintiffs received a discharge on October 30, 2006. The trustee issued its final report and account on November 15, 2006. The Final Decree was signed and the bankruptcy case was closed on December 21, 2006.

5. According to Wells Fargo on behalf of Educap (hereinafter "Wells/Educap"), the \$4,737.43 paid to Educap was insufficient to satisfy the full amount of the debt including all principal, interest, and collection costs and fees owed to Educap. *See Exh. A, Educap Correspondence.* The proofs of claim filed did not contemplate post-petition interest or collection costs and fees. At the conclusion of the bankruptcy, Wells/Educap calculated a remaining balance owed of \$2,306.73 constituting student loan principal, student loan interest, and collection costs related to the collection of both student loans. *See Exh. A, Educap Correspondence.* Educap subsequently attempted to collect the remaining balance but was unsuccessful.

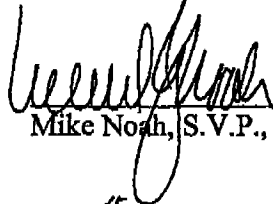
6. On January 9, 2007, Educap sold the 2 loans and remaining balances to NCO Portfolio Management. Wells/Educap represented to NCO that plaintiffs owed a total balance of \$2,306.73 constituting student loan principal, student loan interest, and collection costs related to the collection of 2 student loans. *See Exh. A, Educap Correspondence.* According to Wells/Educap, account no. 631090 assigned reference no. LJ1680 constituted principal of \$79.67, interest of \$8.96, and collection costs/fees of \$629.46 for a total of \$718.09. Account no. 878087 assigned reference no. LJ1681 constituted principal of \$150.06, interest of \$16.74, and collection costs/fees of \$1,421.84 for a total of \$1,588.64. *See Exh. A, Educap Correspondence.*

6. NCO Portfolio Management, in turn, placed Plaintiffs' 2 accounts with NCO for collection. From February 6, 2007 to August 2, 2007, NCO engaged in collection efforts. In particular, on February 6, 2007, March 10, 2007, and July 12, 2007, NCO mailed plaintiffs collection notices seeking payment of the debt. Plaintiffs claim that their lawyer mailed NCO 3 letters informing NCO of his representation, disputing the debt, and requesting NCO cease and desist its collection efforts. NCO's records, however, reflect receipt of only 1 letter. NCO received and processed the July 30, 2007 letter on August 2, 2007. *See Exhibit B, NCO Account Notes.* Subsequent to August 2, 2007, NCO ceased contacting the plaintiffs. *See Exhibit B, NCO Account Notes.* Any

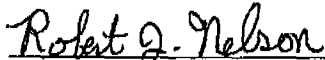
communication subsequent to August 2, 2007 was directed to counsel for plaintiffs and/or was initiated by an entity other than NCO for which NCO is not responsible.

7. Up until its receipt of a dispute, NCO had no reason to disbelieve the information provided to it by its client.

I have provided this sworn affidavit of my own free will under penalty of perjury and the information contained in this affidavit is accurate to the best of my knowledge, information and belief.


Mike Noah, S.V.P.,

Sworn to and subscribed before me this 9th day of July, 2009.


NOTARY PUBLIC

My Commission Expires: Sept. 30, 2013

[seal]

ROBERT J. NELSON
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 2013

N:\NCO\Crocker, Deborah & Dale (6947-08-23576)\Pleadings\Crocker v NCO (MSJ AFF 2).doc

EXHIBIT “A”

This is what I/Wells Fargo had at the time of the loan sale to NCO. (Fees is most likely charged past collection fees that have not been paid).

878087:

Principal	150.06
Interest	16.74
Fees	1421.84

631090

Principal	79.67
Interest	8.96
Fees	629.46

Thanks

Patrick D. Ostinato

Collection Systems Manager

Loan to Learn, an EduCap Inc. Program

Office: 703-674-4767

Fax: 703-674-4677

postinato@loantolearn.com

Money posts in our system to Collection Fees first, Interest second, Miscellaneous and Late Fees third and Principle last from the oldest bill due forward [REDACTED] [REDACTED]

Thanks

Patrick D. Ostinato
Collection Systems Manager
Loan to Learn, an EduCap Inc. Program
Office: 703-674-4767
Fax: 703-674-4677
postinato@loantolearn.com

EXHIBIT “B”

Pur-LJI680

From: "NCO Automated Report Generator (dmpftw)"@ncogroup.com
 Sent: Monday, November 10, 2008 10:37 AM
 To: Berman, Maxine
 Subject: Pur-LJI680

F A C T S H E E T

CRS #: LJI680
 Name: CROCKER, DALE
 Address: C/O ZANE P. LEIDEN ESQ
 330 TELFAIR STREET
 City/State: AUGUSTA, GA 30901-2450
 Home Phone: (706) 724-8548
 Work Phone: (000) 000-0000
 Soc Sec No: 257-90-3890
 Employer:

Client #: NCOED1-3
 NCO/ASGNE OF EDUCAP, INC
 Acct #: 0000631090

Regarding: EDUCAP
 Amt Referred: 79.67
 Current Bal: 79.67
 Comm Rate: 32.000%
 Costs: 0.00
 Ck Chg/Fee: 0.00
 Other 639.93
 Interest Rate: 11.120%
 Interest Amt: 16.49
 Date Received: 01/09/07
 Return on 11/10/08 30

Status: 30 BANKRUPTCY CH7
 Coll Unit: 666 LEGAL REST ACCT
 Date Last: 12/05/05
 Activity Code: 10 ACTIVE DEBTOR
 PrevDebtorNo Last: IB4E
 Co Maker Last:

First: CORRESPONM
 First:

SS# 000-00-0000
 Home (000) 000-0000
 Emp (000) 000-0000
 EftNtcDate 00/00/00
 EftNtcCode
 EftOptionOut
 EftMailReturn
 LastNtcDate 00/00/00
 LastNtcCode

HP 706-790-1829 NIS 4 INCMG CA

PAYMENTS				TRANSACTIONS				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	COMMENT	ID
01/09/07	0.00	97		01/10/07	06:35	CS/10		SYS
				01/10/07	06:35	FA/BK		SYS
							RECD BK DATA, ACCT UPDATED, REPORT REV	
							IEW	
				01/10/07	06:35	CC/CC		SYS
							D01-ADDED BANKRUPTCY	
				01/10/07	06:35	CC/CC		SYS
							K00-ADDED ATTORNEY	
				01/10/07	06:35	CC/CC		SYS
							K00-ADDED TRUSTEE INFO	
				01/10/07	06:35	CC/CC		SYS
							K00-ADDED DEFENDANT INFO	

Pur-LJI680

01/10/07	08:36	CK/NI	SYS
01/10/07	08:36	FA/NI	SYS
01/10/07	08:36	IR/GI	SYS

LJI680 CROCKER, DALE

Page 2

-----PAYMENTS-----				-----TRANSACTIONS-----				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	-----COMMENT-----	ID
				01/10/07	08:36	AB/NI		SYS
				01/10/07	08:36	AD/NI		SYS
				01/10/07	08:36	AH/NI		SYS
				01/10/07	09:03	CK/NI		SYS
				01/10/07	09:03	FA/NI		SYS
				01/10/07	09:03	IR/GI		SYS
				01/10/07	09:03	AB/GI		SYS
				01/10/07	09:03	AD/GI		SYS
				01/10/07	09:03	AH/NI		SYS
				01/11/07	10:13	CC/CC	SCORE-000	SYS
				01/11/07	10:13	CC/CC		SYS
				DEBTOR CREDIT BUREAU DATA ON O SCREE				
				N				
				01/15/07	20:23	CG/UR		SYS
				SOL DATE 00 00 00				
				01/30/07	16:01	CO/CO		NMX
				BK FILED AND DISCHARGED				
				01/30/07	16:01	TA/	E01	NMX
				01/30/07	16:28	CS/30		HK3
				01/30/07	22:02	CC/CC		SYS
				A01-NA LAST-CROCKER, DEBORAH				
				01/30/07	22:02	CC/CC	A01-NM FIRST-	SYS
				02/01/07	00:31	SN/B8	60	ABM
				02/02/07	08:19	TR/BN		GIG
				NIS FOR INCMG CALLS				
				02/02/07	08:19	CS/10		GIG
				02/02/07	08:19	CC/CC	HP-7067901829	GIG
				02/06/07	00:50	SN/B1		-CB
				02/07/07	00:46	SN/B6	60	-CB
				02/25/07	09:49	TA/	E30	JA3
				03/10/07	00:24	SN/U		ABM
				05/04/07	16:12	SU/NI		SYS
				05/04/07	16:12	SU/NI		SYS
				07/05/07	12:38	SU/NI		SYS
				07/05/07	12:38	SU/NI		SYS
				07/12/07	00:35	SN/R		ABM
				07/13/07	16:39	BK/CO		SYS
				LISTED WITH TELETRACK				
				08/01/07	09:50	CC/CC	COLL UNIT E25	EDC
				08/01/07	09:50	SR/SC		EDC
				EDUCAP TO AGENCIES				
				08/02/07	18:37	AT/IR		I4L
				DEBTOR FORWARDED TO AGENCY				
				08/02/07	18:37	CC/CC		I4L
				NCO COMM 27.00 - CBR14458207				
				08/02/07	18:37	CC/CO		I4L
				FORWARDED TO NN2				
				PHONE NUMBER 877-867-3787				

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Pur-LJI680
 08/02/07 18:37 CC/CC COLL UNIT YAY I4L
 08/02/07 18:37 CS/40 I4L
 08/03/07 03:44 AT/IR SYS
 NEW PLMT - BALANCE UPDATE SENT
 08/03/07 12:12 CS/58 MVB
 08/03/07 12:12 CS/97 MVB

LJI680 CROCKER, DALE

Page 3

PAYMENTS				TRANSACTIONS				ID
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	COMMENT	ID
				08/03/07	12:14	CC/CC		MVB
				A1-2440 YATES DR				
				08/03/07	12:14	CC/CC	ADDRESS 2	MVB
				08/03/07	12:14	CC/CC		MVB
				CSZ-AUGUSTA GA 309060000				
				08/03/07	12:14	CC/CC	WORK PHONE	MVB
				08/03/07	12:14	CC/CC	AUX1 POS 0 -	MVB
				08/03/07	12:14	IM/SC		MVB
				INCOMING MAIL - RECD CERTIFIED BK AND MOTION TO REOPEN CHAP 13 SENT TO IDM AND SCAN				
				08/03/07	12:15	AT/LR	C101 NN2	MVB
				08/03/07	12:20	CC/CC	HP- 0000000	MVB
				08/03/07	12:20	CC/CC	WP-7067249727	MVB
				08/03/07	14:28	TA/	NN2	NMX
				08/03/07	14:40	RM/CC		NMX
				RMVE FROM CBR-CB2				
				08/03/07	14:40	CC/CC	WP-8882289035	NMX
				08/06/07	16:42	CC/CO		SYS
				MASTER FORWARDED FLAG REMOVED FORWARD FLAG WAS F NOW R				
				09/06/07	10:36	SR/SC		ZHM
				NO DOCS AVAILABLE, RETURN FOR REPURCH ASE				
				09/06/07	10:36	CS/67		ZHM
				09/06/07	10:36	TA/	IDM	ZHM
				09/06/07	10:36	CC/CC		ZHM
				RETURN NCOED13-0000631090				
				09/07/07	14:38	CS/27		X4R
				09/07/07	14:38	TA/	PUR	X4R
				09/07/07	14:38	CC/CC		X4R
				UNRTRN NCOED13-0000631090				
				09/22/07	14:16	CS/67		SYS
				09/22/07	14:16	FA/BK		SYS
				RECD BK DISMISSAL, ACCTS UPDATED				
				09/27/07	15:07	CO/CO		U3U
				BK FLD AND DSCHGRD				
				09/27/07	15:07	CS/85		U3U
				10/01/07	13:45	TA/	IDM	BUR
				10/22/07	19:27	CG/UR		SYS
				SOL DATE 10 07 09				
				12/22/07	13:40	CC/CC	D00-BCN-0	BKT
				12/22/07	13:40	CC/CC	D00-BCT-AUGUSTA	BKT
				12/22/07	13:40	CC/CC		BKT
				D00-BBD-00 00 00				

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Pur-LJI680
 12/22/07 13:40 CC/CC BKT
 D00-BML1-933 BROAD STR 341 ME
 12/22/07 13:40 CC/CC BKT
 RECD BKT DATA FROM LEXIS NEXIS-H
 12/22/07 13:40 CC/CC K00-TI-NA- BKT
 12/22/07 13:40 CC/CC K00-TI-ADD- BKT
 12/22/07 13:40 CC/CC K00-TI-CT- BKT
 12/22/07 13:40 CC/CC K00-TI-ST- BKT
 12/22/07 13:40 CC/CC K00-TI-ZIP- BKT

LJI680 CROCKER, DALE

Page 4

-----PAYMENTS-----				-----TRANSACTIONS-----				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	-----COMMENT-----	ID
				12/22/07	13:40	CC/CC		BKT
						K00-TI-PH-0000000000		
				12/22/07	13:40	CC/CC	WH SKP - SADD	SYS
				01/14/08	17:37	CC/CC		SYS
						ACTIVITY-ON-0000631090		
				01/16/08	20:10	BK/CO		SYS
						DELETED FROM TELETRACK		
				07/25/08	19:48	CG/UR		SYS
						SOL DATE 09 07 08		
				07/31/08	18:40	CC/CC	AUX2 POS 19-	SYS
				07/31/08	18:40	CC/CC	AUX2 POS 21-	SYS
				11/03/08	16:08	CC/CC	ACCT VIEW ONLY	DLO
				11/03/08	16:15	IM/SC		MVB
						RECD ADVERSARY ...CASE NO 0801053SDB		
						SENT TO COMPLIANCE		
				11/10/08	10:23	CS/27		DMP
				11/10/08	10:24	CC/CC		DMP
						A1- ZANE P. LEIDEN		
				11/10/08	10:25	TA/ PUR		DMP
				11/10/08	10:27	SR/SC		DMP
						RECD ADVERSARY FROM IDM TODAY SENDIN		
						G TO SESSIONS		
				11/10/08	10:27	CC/CC		DMP
						RETURN NCOED13-0000631090		
				11/10/08	10:34	SR/SC		DMP
						REQ DELETION AND UDF		

Date Printed: Nov 10, 2008

Pur-LJI680

Pur-LJI681

From: "NCO Automated Report Generator (dmpftw)"@ncogroup.com
 Sent: Monday, November 10, 2008 10:37 AM
 To: Berman, Maxine
 Subject: Pur-LJI681

F A C T S H E E T

CRS #: LJI681
 Name: CROCKER, DEBORAH
 Address: C/O ZANE P. LEIDEN ESQ
 330 TELFAIR STREET
 City/State: AUGUSTA, GA 30901-2450
 Home Phone: (706) 724-8548
 Work Phone: (000) 000-0000
 Soc Sec No: 459-21-8228
 Employer: CEASE AND DESIST

Status: 30 BANKRUPTCY CH7
 Coll Unit: 666 LEGAL REST ACCT
 Date Last: 12/05/05
 Activity Code: ER LEXIS HIT
 PrevDebtorNo Last: IB4E
 Co Maker Last:
 SS# 000-00-0000
 Home (000) 000-0000
 Emp (000) 000-0000
 EftNtcDate 00/00/00
 EftNtcCode
 EftOptionOut
 EftMailReturn
 LastNtcDate 00/00/00
 LastNtcCode

Client #: NCOED1-3
 NCO/ASGNE OF EDUCAP, INC
 Acct #: 0000878087

Regarding: EDUCAP
 Amt Referred: 150.06
 Current Bal: 150.06
 Comm Rate: 37.000%
 Costs: 0.00
 Ck Chg/Fee: 0.00
 Other 1441.43
 Interest Rate: 11.150%
 Interest Amt: 31.19
 Date Received: 01/09/07
 Return on 11/10/08 30
 First: CORRESPONM
 First:

 HP 706-790-1829 NIS 4 INCMG CA

PAYMENTS				TRANSACTIONS				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	-----COMMENT-----	ID
01/09/07	0.00	97		01/10/07	06:35	CS/10		SYS
				01/10/07	06:35	FA/BK		SYS
				RECD BK DATA, ACCT UPDATED, REPORT REV				
				IEW				
				01/10/07	06:35	CC/CC		SYS
				D01-ADDED BANKRUPTCY				
				01/10/07	06:35	CC/CC		SYS
				K00-ADDED ATTORNEY				
				01/10/07	06:35	CC/CC		SYS
				K00-ADDED TRUSTEE INFO				
				01/10/07	06:35	CC/CC		SYS
				K00-ADDED DEFENDANT INFO				

Pur-LJI681

01/10/07	08:36	CK/NI	SYS
01/10/07	08:36	FA/NI	SYS
01/10/07	08:36	IR/GI	SYS

LJI681 CROCKER, DEBORAH

Page 2

-----PAYMENTS-----				-----TRANSACTIONS-----				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	-----COMMENT-----	ID
				01/10/07	08:36	AB/NI		SYS
				01/10/07	08:36	AD/NI		SYS
				01/10/07	08:36	AH/NI		SYS
				01/10/07	09:03	CK/NI		SYS
				01/10/07	09:03	FA/NI		SYS
				01/10/07	09:03	IR/GI		SYS
				01/10/07	09:03	AB/GI		SYS
				01/10/07	09:03	AD/GI		SYS
				01/10/07	09:03	AH/NI		SYS
				01/11/07	10:13	CC/CC	SCORE-000	SYS
				01/11/07	10:13	CC/CC		SYS
				DEBTOR CREDIT BUREAU DATA ON O SCREE				
				N				
				01/15/07	20:23	CG/UR		SYS
				SOL DATE 00 00 00				
				01/30/07	16:01	CO/CO		NMX
				BK FILED AND DISCHARGED				
				01/30/07	16:01	TA/	E01	NMX
				01/30/07	16:29	CS/30		HK3
				01/30/07	22:02	CC/CC		SYS
				A01-NA LAST-CROCKER, DALE				
				01/30/07	22:02	CC/CC	A01-NM FIRST-	SYS
				02/01/07	00:31	SN/B8	60	ABM
				02/02/07	08:18	TR/ND		BA2
				7067901829 2AEDUCAP				
				02/02/07	08:23	TR/BN		GIG
				NIS 4 INCMG CALLS				
				02/02/07	08:23	CC/CC	HP-7067901829	GIG
				02/06/07	00:50	SN/B1		-CB
				02/06/07	14:38	TR/ND		IP9
				02/07/07	00:46	SN/B6	60	-CB
				02/12/07	08:14	TO/BN		GIG
				NIS 4 INCMG CALLS AT COS HP				
				02/12/07	08:15	CC/CC	A10-STATUS-22	GIG
				02/12/07	08:15	CC/CC		GIG
				A01-HP-7067901829				
				02/16/07	08:11	TW/AM		BA2
				7067969181 2AEDUCAP				
				02/22/07	08:36	DR/BN		IP9
				FTP SAID WRONG NUMBER AND IMMED				
				HUNGUP BEFRE I COULD SAY ANYTHING				
				ELSE				
				02/26/07	18:25	TW/NA		BA2
				7067969181 2AEDUCAP				
				02/28/07	15:15	DR/ND		IP9
				02/28/07	15:15	CC/CC	WP-7067969181	IP9
				02/28/07	15:15	CS/10		IP9
				03/09/07	09:12	TA/	E30	JA3

Page 2

Pur-LJI681
 03/10/07 00:24 SN/U ABM
 05/04/07 16:12 SU/NI SYS
 05/04/07 16:12 SU/NI SYS
 05/05/07 08:15 TA/ E32 OCW
 07/05/07 12:38 SU/NI SYS
 07/05/07 12:38 SU/NI SYS

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-----PAYMENTS-----				-----TRANSACTIONS-----				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	-----COMMENT-----	ID
				07/12/07	00:35	SN/R		ABM
				07/13/07	16:39	BK/CO		SYS
							LISTED WITH TELETRACK	
				08/01/07	09:50	CC/CC	COLL UNIT E25	EDC
				08/01/07	09:50	SR/SC		EDC
							EDUCAP TO AGENCIES	
				08/02/07	18:37	AT/IR		I4L
							DEBTOR FORWARDED TO AGENCY	
				08/02/07	18:37	CC/CC		I4L
							NCO COMM 27.00 - CBR14458208	
				08/02/07	18:37	CC/CO		I4L
							FORWARDED TO NN2	
							PHONE NUMBER 877-867-3787	
				08/02/07	18:37	CC/CC	COLL UNIT YAY	I4L
				08/02/07	18:37	CS/40		I4L
				08/03/07	03:44	AT/IR		SYS
							NEW PLMT - BALANCE UPDATE SENT	
				08/03/07	12:16	CS/58		MVB
				08/03/07	12:18	CC/CC		MVB
							A1-2440 YATES DR	
				08/03/07	12:18	CC/CC	ADDRESS 2	MVB
				08/03/07	12:18	CC/CC		MVB
							CSZ-AUGUSTA GA 309060000	
				08/03/07	12:18	CC/CC	HP- 00000000	MVB
				08/03/07	12:18	CC/CC	WORK PHONE	MVB
				08/03/07	12:18	CC/CC	AUX1 POS 0 -	MVB
				08/03/07	12:18	IM/SC		MVB
							INCOMING MAIL - RECD CERTIFIED BK	
							AND MOTION TO REOPEN CHAP 13 SENT	
							TO IDM AND SCAN	
				08/03/07	12:19	AT/LR	C101 NN2	MVB
				08/03/07	14:39	RM/CC		NMX
							RMVE FROM CBR-CB2	
				08/03/07	14:39	RM/CC		NMX
							RMVE FROM CBR-CB2	
				08/05/07	12:24	CC/CO		SYS
							MASTER FORWARDED FLAG REMOVED	
							FORWARD FLAG WAS F NOW R	
				08/15/07	11:33	IM/SC		WSC
							IN ACCESS 07 63792	
				09/22/07	14:16	CS/67		SYS
				09/22/07	14:16	FA/BK		SYS
							RECD BK DISMISSAL, ACCTS UPDATED	
				09/27/07	15:08	CO/CO		U3U
							BK FLD AND DSCHGRD	

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 09/27/07 15:08 CS/85 U3U
 09/27/07 15:08 CS/40 U3U
 12/22/07 13:40 CC/CC D00-BCN-0 BKT
 12/22/07 13:40 CC/CC D00-BCT-AUGUSTA BKT
 12/22/07 13:40 CC/CC BKT
 D00-BBD-00 00 00
 12/22/07 13:40 CC/CC BKT
 D00-BML1-933 BROAD STR 341 ME
 12/22/07 13:40 CC/CC BKT

LJI681 CROCKER, DEBORAH

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-----PAYMENTS-----				-----TRANSACTIONS-----			
---Date---	Amount	Code	Rate	---DATE---	TIME	AC/RC	---COMMENT----- ID
							RECD BKT DATA FROM LEXIS NEXIS-H
				12/22/07	13:40	CC/CC	K00-TI-NA- BKT
				12/22/07	13:40	CC/CC	K00-TI-ADD- BKT
				12/22/07	13:40	CC/CC	K00-TI-CT- BKT
				12/22/07	13:40	CC/CC	K00-TI-ST- BKT
				12/22/07	13:40	CC/CC	K00-TI-ZIP- BKT
				12/22/07	13:40	CC/CC	BKT
							K00-TI-PH-0000000000
				12/22/07	13:40	CS/58	BKT
				12/22/07	13:40	TA/ NN2	BKT
				12/22/07	13:40	CC/CC	WH SKP - SADD SYS
				01/14/08	17:37	CC/CC	SYS
							ACTIVITY-ON-0000878087
				01/16/08	20:10	BK/CO	SYS
							DELETED FROM TELETRACK
				03/18/08	17:18	TA/ E09	DEM
				03/25/08	10:30	CS/30	CJ9
							MNL RV BK FILED ND DISCHGRED
				03/28/08	09:08	TA/ 2M1	CJ9
				04/30/08	11:37	TR/LM	DKQ
							MRD..THIS IS A BUSINESS PHONE..SECT
							TOOK MSG
				04/30/08	12:52	IC/CM	DJ7
							ATTORNEY ZANE LEIDEN,WILL FORWARD
							LETTER OF REP. AND COPY OF DISCHARGE
							PAPERS SHOWING THIS LOAN WAS PAID
							IN FULL.....
				04/30/08	18:58	CO/CO	WWR
							REC'D COPY OF BANKRUPTCY INFORMATION
							SHOWING THAT THIS ACCOUNT WAS
							INCLUDE IN THE DISCHARGE.
							SENT DOCS TO SCAN
				07/03/08	13:06	CC/CC	WH SKP - SHP LXN
				07/03/08	13:06	CC/CC	SYS
							ACTIVITY 10 NCOED13-0000878087
				07/25/08	19:48	CG/UR	SYS
							SOL DATE 10 07 09
				07/31/08	18:40	CC/CC	AUX2 POS 19- SYS
				07/31/08	18:40	CC/CC	AUX2 POS 21- SYS
				08/18/08	16:17	CS/58	ABM
				08/18/08	16:17	SR/CO	ABM
							STATUS 58 IN ERROR SHOULD HAVE BEEN

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CHANGED AT RECALL

09/03/08	12:59	TA/	E05	SYS
09/05/08	14:52	AT/IR		I4L
DEBTOR FORWARDED TO AGENCY				
09/05/08	14:52	CC/CC		I4L
NCO COMM 32.00 - CBR14458208				
09/05/08	14:52	CC/CO		I4L
FORWARDED TO PM3				
PHONE NUMBER 888-355-7515				
09/05/08	14:52	CC/CC	COLL UNIT BTH	I4L
09/05/08	14:52	CS/10		I4L

LJI681 CROCKER, DEBORAH

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-----PAYMENTS-----				-----TRANSACTIONS-----				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	-----COMMENT-----	ID
				09/06/08	04:42	AT/IR		SYS
				NEW PLMT - BALANCE UPDATE SENT				
				09/17/08	05:48	AJ/IR		SYS
				20080915 ACKNOWLEDGMENT				
				09/18/08	06:31	AJ/IR		SYS
				20080916 TED - TRANS UNION CPE BUREA				
				09/18/08	06:31	AJ/IR		SYS
				20080916 ND LOCATION DATA LOADED				
				09/18/08	06:31	AJ/IR		SYS
				20080916 06 00 11 - SKIP EFFORTS INIT				
				09/18/08	06:31	AJ/SN		SYS
				20080916 1ST DEMAND LETTER				
				09/19/08	17:24	SN/1		SYS
				09/30/08	11:22	AJ/IR		SYS
				20080926 D SYS THS WS CLSD IN CHPTR				
				09/30/08	11:22	AJ/IR		SYS
				20080926 RNY TO SND INFO VIA FAX SY				
				09/30/08	11:22	AJ/IR		SYS
				20080927 09 42 24 -				
				09/30/08	11:22	AJ/IR		SYS
				20080926 S NOT SNDNG ANYTHNG WILL R				
				09/30/08	11:22	AJ/IR		SYS
				20080926 16 34 27 - POSSIBLE ATTRNY				
				09/30/08	11:22	AJ/IR		SYS
				20080926 TO CLLCT ON THS DBT ASKD				
				09/30/08	11:22	AJ/LM		SYS
				20080926 TELEPHONE DEMAND RESIDENCE				
				09/30/08	11:22	AJ/LM		SYS
				20080926 TELEPHONE DEMAND RESIDENCE				
				09/30/08	11:22	AJ/LM		SYS
				20080926 TELEPHONE DEMAND RESIDENCE				
				09/30/08	11:22	AJ/IR		SYS
				20080927 09 42 20 - MGR REV GVE TO				
				09/30/08	11:22	AJ/IR		SYS
				20080927 09 41 17 - COLLECTOR REVIEW				
				09/30/08	11:22	AJ/IR		SYS
				20080927 INFO WAS RCVD GVN TO MANGAE				
				09/30/08	11:22	AJ/IR		SYS
				20080927 OSE FOR CLSE				

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 09/30/08 11:22 AJ/IR SYS
 20080926 APRIL OF 2008 SYS WE ARE
 09/30/08 11:22 AJ/IR 20080927 T SYS
 09/30/08 11:22 AJ/IR SYS
 20080926 EN CASE AND SUE AND HNG UP
 10/02/08 05:04 AJ/IR SYS
 20080929 OUNT AS 813 AND WILL Contac
 10/02/08 05:04 AJ/IR SYS
 20080929 PRC B13 ACCOUNT CLOSED
 10/02/08 05:04 AJ/IR SYS
 20080930 EIDEN AND LEIDEN PERTAINING
 10/02/08 05:04 AJ/IR SYS
 20080930 242189-20080930104016 , ITE
 10/02/08 05:04 AJ/IR SYS
 20080930 242189 , ITEM 1

LJI681 CROCKER, DEBORAH

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-----PAYMENTS-----				-----TRANSACTIONS-----				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	-----COMMENT-----	ID
				10/02/08	05:04	AJ/IR		SYS
							20080930 242189 , ITEM 1	
				10/02/08	05:04	AJ/IR		SYS
							20080929 18 08 12 - MGMT REVIEW. DE	
				10/02/08	05:04	AJ/IR	20080929 NT	SYS
				10/02/08	05:04	AJ/IR		SYS
							20080930 10 41 08 - DETACHED DOCUMEN	
				10/02/08	05:04	AJ/IR		SYS
							20080930 10 40 57 - ATTACHED DOCUMEN	
				10/02/08	05:04	AJ/IR		SYS
							20080930 10 42 06 - ATTACHED DOCUMEN	
				10/02/08	05:04	AJ/IR		SYS
							20080930 10 42 22 - RECEIVED FAX FRO	
				10/02/08	05:04	AJ/IR		SYS
							20080929 18 06 32 - STATUS CHANGED	
				10/02/08	05:04	AJ/IR		SYS
							20080929 HAS BEEN RESOLVED. CLOSED	
				10/02/08	05:04	AJ/IR		SYS
							20080929 CLOSE - BANKRUPT	
				10/02/08	05:04	CS/58		SYS
				10/02/08	05:04	AT/IR		H14
							DEBTOR RECALLED FROM AGENCY - PM3	
				10/02/08	05:04	CC/CC	COLL UNIT PM3	SYS
				10/02/08	05:04	AJ/IR		SYS
							20080930 REOPENING CH 13 CASE. SEE	
				10/02/08	05:04	AJ/IR		SYS
							20080930 TACHED.	
				10/02/08	05:04	AJ/IR		SYS
							20080929 CO TO HAVE THEM DEADFILE AC	
				10/13/08	10:57	CC/CC	HP-7067248548	COR
				10/13/08	10:57	CC/CC	WP-8882289035	COR
				10/13/08	10:57	IM/SC	STAT UNCHNGD	COR
				10/13/08	10:57	RM/CC	DELETE CBR-BDC	COR
				10/13/08	10:57	CC/CC		COR
							D01-BCN-SOUTHERN DISTRICT OF GEORGIA	
				10/13/08	10:57	CC/CC		COR

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 D01-BDF-11-18-04
 10/13/08 10:57 CC/CC COR
 D01-BDG-10-30-06
 10/13/08 10:57 CC/CC EMPLOYER COR
 10/13/08 10:57 IM/SC COR
 IMAGE 2008101310005622LJI681JJ2
 10/13/08 10:57 IM/SC COR
 FAX - BANKRUPTCY
 10/13/08 10:57 IM/SC TABLE 37 COR
 10/23/08 07:35 CC/CC ACCT VIEW ONLY ACG
 10/23/08 07:38 SP/IO ACG
 SNT UDF TO 3 CBRS ELECTRLY DLT
 11/03/08 16:08 CC/CC ACCT VIEW ONLY DLO
 11/03/08 16:17 IM/SC MVB
 RECD ADVERSARY CASE NO 0801053SDB -
 SENT TO COMPLIANCE
 11/10/08 10:36 CC/CC DMP
 A1- ZANE P. LEIDEN

LJI681 CROCKER, DEBORAH

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-----PAYMENTS-----				-----TRANSACTIONS-----				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	-----COMMENT-----	ID
				11/10/08	10:36	CC/CC	HOME PHONE	DMP
				11/10/08	10:36	SR/SC		DMP
							RECD ADVERSARY FROM IDM TODAY SENDIN	
							G TO SESSIONS	
				11/10/08	10:36	CC/CC		DMP
							RETURN NCOED13-0000878087	
				11/10/08	10:36	TA/BKT		DMP
				11/10/08	10:36	SR/SC		DMP
							REQ DELETION AND UDF	

Date Printed: Nov 10, 2008



**SESSIONS
FISHMAN
NATHAN &
ISRAEL LLP**
ATTORNEYS AT LAW

2009 JUL 30 PM 1:50

U.S. BANKRUPTCY COURT
AUGUSTA, GA
SAMUEL L. KAY, CLERK

KENNETH C. GRACE
Licensed in the State of Florida
Direct: (813) 890-2465
kgrace@sessions-law.biz

July 29, 2009

Via FedEx Overnight

Clerk of Court
USBC Southern District of Georgia
Federal Justice Center
600 James Brown Blvd
Augusta, GA 30901

Re: *Dale and Deborah Crocker v. NCO Financial Systems, Inc.*
Adversary Case No.: 08-01053-SDB

Dear Clerk of Court:

Enclosed for filing, please find a copy of NCO's Notice of Filing an Amended Affidavit originally included as Exhibit 5 to NCO's Motion for Summary Judgment as to Counts 1-3 and Incorporated Memorandum of Law filed on July 10, 2009 in the above referenced matter.

Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Kenneth C. Grace

KCG:pld
Enclosure

cc: David Israel, Esq. (via e-mail)
Albert J. Decusati, Esq. (via e-mail)
Zane Leiden, Esq. (via facsimile & U.S. Mail)
Chris Cosper, Esq. (via facsimile & U.S. Mail)